



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,822	02/20/2002	Tomitaka Yamashita	SIMTEK6260	7485

25776 7590 08/11/2003

ERNEST A. BEUTLER  
ATTORNEY AT LAW  
500 NEWPORT CENTER DRIVE  
SUITE 945  
NEWPORT BEACH, CA 92660

EXAMINER

CHARIOUI, MOHAMED

ART UNIT PAPER NUMBER

2857

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/683,822

Applicant(s) *nee*

YAMASHITA, TOMITAKA

Examiner

Mohamed Charioui

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. **Figure 4** is objected to because boxes in the figure are not labeled. The Examiner directs the applicant to 37 C.F.R. 1.84(n) and 1.84(o) which state, "Graphical drawing symbols may be used for conventional elements when appropriate" while "[o]ther symbols which are not universally recognized may be used, subject to approval by the Office" and that "[s]uitable descriptive legends may be used subject to approval by the Office, or may be required by the examiner where necessary for understanding of the drawing". Since the drawings in **figure 4** do not contain conventional elements, the Examiner may require descriptive legends for better understanding of the drawings. See MPEP 608.02.

**Figures 6 and 7** are objected to because they contain non-English writing in them in them.

**Figure 8** is objected to because the number, in row 12 (CPU port check) and the column corresponding to comparator level vehicle speed, can not be read entirely.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. **Claim 1** is objected to because of the following informalities: in page 9, line 2, change "receive inputs and output outputs signals" to --receive input signals and output output signals--. Appropriate correction is required.

**Claim 5** is objected to because of the following informalities: in page 9, lines 16-17, change "receive inputs and outputs output signals" to --receive input signals and output output signals--. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-5** are rejected under 35 U.S.C. 102(e) as being anticipated by Wiley et al.

**As per claims 1-3 and 5**, Wiley et al. teach a signal inspection device for testing a plurality of electronic devices that receive inputs and output outputs signals in response thereto (see col. 2, lines 27-40), the signal inspection device comprising a memory circuit for storing an inspection program adapted to electronic devices to be inspected (see col. 4, lines 20-33 and col. 4, line 52 to col. 5, line 30), memory circuit being capable of being programmed by an external personal computer, a power supply for applying input signals to an electronic device from the signal inspection device (see col. 2, lines 27-40 and col. 6, lines 1-8), and a display for receiving and displaying output signals from the electronic device being tested in response to the applied input signals (see col. 4, line 52 to col. 5, line 30; col. 20, lines 15-38; and col. 5, lines 40-55).

Art Unit: 2857

**As per claim 4**, Wiley et al. further teach that the inspection program is created as an interactive type of displayed image on the personal computer and transferred therefrom to the memory circuit (see col. 5, line 55 to col. 6, line 67).

#### **Prior art**

4. The prior art made record and not relied upon is considered pertinent to applicant's disclosure:

**Matt et al. ['474]** disclose method for testing electronic control devices.

**Charron ['307]** discloses portable electronic apparatus having a detection device for detecting a variation of the supply voltage.

**Kim ['249]** discloses self-diagnostic circuit for a video display and method of implementing the same.

**Tuttle et al. ['782]** disclose system and method for testing computer hardware and software.

**Hendrix ['708]** discloses universal headset tester.

**Fay ['665]** discloses event based fault diagnosis (method and instrument for testing and electronic device).

**Mielke et al. ['772]** disclose electronic circuit testing methods and apparatus.

**Walker et al. ['201]** disclose method and apparatus for testing trip profiles in electrical switches using a portable unit with a non-volatile memory.

#### **Contact information**

Art Unit: 2857

5. Any inquiry concerning this communication from examiner should be directed to Mohamed Charioui whose telephone number is 703 605-4362. The examiner can normally be reached Monday to Friday 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached at 703 308-1677. The fax phone number for the organization where this application is assigned is 703 305-3431.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose number is 703 308-0956.

Mohamed Charioui

8/4/03

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800